

REMARKS

Claims 14 and 16-30 are pending in the application. Claims 1-13 and 15 have been canceled, and claims 16-30 are newly added. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants would like to thank the Examiner for allowing claim 14.

Applicants would also like to thank the Examiner for accepting the drawings filed on September 20, 2004. Applicants also thank the Examiner for acknowledging Applicants claim for foreign priority, and receipt of all of the certified copies of the priority documents.

Applicants wish to bring to the Examiner's attention the fact that Applicants filed an Information Disclosure Statement on December 29, 2004. Applicants note that the Examiner inadvertently failed to return an initialed copy of the Form PTO-1449 submitted with the Information Disclosure Statement with the present Office Action. Applicants respectfully request that the Examiner consider all of the documents cited in the December 29, 2004 Information Disclosure Statement, and provide Applicants with an initialed copy of the Form PTO-1449 attached to the Information Disclosure Statement, indicating consideration of all of the documents cited therein.

In the Office Action, the Examiner objected to claim 1 because of informalities. Applicants have canceled claim 1, and thus submit that the objection is moot.

In the Office Action, the Examiner rejected claim 15 under 35 U.S.C. §102(e) as being anticipated by Hymel et al. (U.S. Patent Publication No. 2004/0068551). The Examiner rejected claims 1, 2, 4, 10, 11 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu et al. (U.S. Patent Publication No. 2002/0198963); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu and Tanaka et al. (U.S. Patent No. 6,122,486); rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu and Perkes et al. (U.S. Patent Publication No. 2002/0069132); rejected claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu and Peng (U.S. Patent Publication No. 2001/004099); rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu, Peng and Spaur et al. (U.S. Patent No. 6,122,514); rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu and Hardin (U.S. Patent No. 6,400,948); and rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Hymel in view of Wu and Byrne (U.S. Patent No. 5,533,099). By the current amendment, Applicants cancel claims 1-13 and 15, and thus submit that these rejections are moot. In this regard, cancellation of the claims should not be considered as acquiescence to the propriety of the rejection, but as an attempt to advance the prosecution of the application to issue.

In the present amendment, Applicants add new claims 16-20, which depend on claim 14, for the Examiner's consideration. Applicants respectfully

submit that these claims are allowable for at least the same reasons applicable to claim 14.

Applicants have also added new claims 21-24, which recite a terminal apparatus that includes a content acquiring section that acquires acquisition-scheduled content, using an address associated with acquisition-scheduled content stored in a content list, where the acquisition-scheduled content corresponds to a position in which content is expected to be referred to after moving and which is outside a communication-capable area. Applicants respectfully submit that the applied prior art fails to disclose or suggest this combination of features. For at least these reasons, Applicants respectfully submit that claims 21-24 are in condition for allowance.

Applicants have also added new claims 25-30, which recite an information acquiring system that includes a server including a content list transmitter that identifies acquisition-scheduled content based on position information, where the acquisition-scheduled content is content related to at least one expected future position of a terminal apparatus where the terminal apparatus is unable to communicate with the server. Applicants respectfully submit that the applied prior art fails to disclose or suggest this combination of features, and submit that claims 25-30 are in condition for allowance for at least these reasons.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

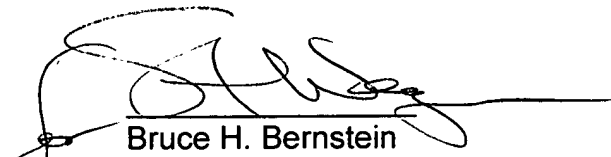
SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicant has made a sincere effort to place the present invention in condition for allowance and believes that he has now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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